

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

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|--------------------------|----------|---------------------|
| RHONA BOLIVAR | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| | : | |
| KMART CORPORATION | : | NO. 07-0119 |
| | : | |

ORDER

AND NOW, this 16th day of September, 2008, upon consideration of the Plaintiff's Motion to Compel Presence of Defendant Kmart Corporation's Representative at Mediation Conference (Document No. 56) and the defendant's response in which he represents that an appropriate representative shall attend the mediation, it is **ORDERED** that the motion is **DENIED AS MOOT**.

/Timothy J. Savage
TIMOTHY J. SAVAGE, J.